

11-30-1976

Hastings Law News Vol.9 No.9

UC Hastings College of the Law

Follow this and additional works at: <http://repository.uchastings.edu/hln>

Recommended Citation

UC Hastings College of the Law, "Hastings Law News Vol.9 No.9" (1976). *Hastings Law News*. Book 277.
<http://repository.uchastings.edu/hln/277>

This Book is brought to you for free and open access by the UC Hastings Archives and History at UC Hastings Scholarship Repository. It has been accepted for inclusion in Hastings Law News by an authorized administrator of UC Hastings Scholarship Repository. For more information, please contact marcusc@uchastings.edu.



Hastings Law News

The University of California Hastings College of the Law

Vol. IX No. 9

SAN FRANCISCO

NOVEMBER 30, 1976

OUTSTANDING LIVING HASTINGS ALUMNUS



Justice A. Frank Bray was honored at a dinner on Nob Hill Friday night, November 12, as more than 500 well-wishers gathered in the Grand Ballroom of the Fairmont Hotel. The U.C. Centennial Medal was awarded to Justice Bray as the "Outstanding Living Alumnus of Hastings College."

Also sharing the honors were the 190 other Hastings judiciary alumni, seventy of whom received personal Certificates of Acknowledgement from California Supreme Court Chief Justice Donald R. Wright. Special presentations by alums John T. Knox and George Moscone, as attendees enjoyed the fifteen dollar/plate banquet, also highlighted the evening.

BRAY STILL WRITES OPINIONS

Justice Bray, a past president of

the Hastings Alumni Association, is presently Chairman of the Hastings Board of Directors, trustee of the 1066 Foundation of Hastings, and Board of Directors member of the Hastings Center for Trial and Appellate Advocacy.

A graduate of the University of California, Justice Bray received his J.D. and LL.B. from Hastings in 1910. He was Martinez City Attorney for eighteen years and has been a resident of that city since 1912. He also served as City Attorney for Pinole and Concord, and Assistant District Attorney for Contra Costa County. After appointment to the Superior Court of Contra Costa County in 1935, Justice Bray joined the District Court of Appeal in 1947 and became Presiding Judge in 1959. Although officially retired since 1964, A. Frank Bray still writes opinions for the Court today.

VIOLINS AND A PROFESSORSHIP

Alumni Association President Jerome Marks opened the evening's program, welcoming the myriad members of the Hastings legal community (to a dinner of rolled chicken) as the Hastings String Quartet comprised of Mrs. Russell Sullivan, cello; Mr. Richard Prosser, violin; Mr. James Berhdahl, violin; and Dr. Gordon Richmond, viola; played two movements from "The American String Quartet #6" in F major, Opus 96. Judges John D. Jelletich, Ollie Marie-Victoire, Robert W. Merrill, and Donald B. Constine honored their brethren in attendance with the Acknowledgements, signed by Chief Justice Wright, Honorary Chairman of the dinner, who could not be present. Assemblyman Knox then delivered Justice Bray a special commendation from the California

Continued on page 10

THE CHEATING STORY

[IN CHRONOLOGICAL ORDER]

In 1974-75 Hastings adjudicated student disciplinary matters under the ASH Student Honor Code. In 1975-76 ASH spent the entire year revising and reworking that Code.

After months of disagreement, ASH rescinded the Student Honor Code effective in February. When Spring examinations rolled around, then, there was no formal procedure for handling student disciplinary matters. Against this background the following incident transpired:

During the May 1976 exams a proctor observed unauthorized examination assistance in progress and promptly notified Assistant Registrar Charles Earlenbaugh. Earlenbaugh then notified Vice Dean William Riegger and Dean Anderson. A committee of seven faculty members was selected to conduct hearings into the incident.

That faculty committee, chaired by Riegger, conducted four days of hearings into the alleged cheating and heard testimony from the four students allegedly involved. All four were represented by counsel and a verbatim transcript was taken by a court reporter. In short, every effort

was made to assure procedural due process.

Since there were no longer any ASH regulations for handling such student discipline problems, the hearings were conducted "under the

Continued on page 9

DISCIPLINARY PROCEEDINGS

To: Hastings Law News

From: Dean Marvin J. Anderson

I have been aware of the interest of many students of the College in the examination "incident" that occurred at the end of the Spring semester. Because the process employed to inquire into the facts were not completed until recently and in order to avoid any prejudice to the students involved, I have made it a deliberate policy to decline to discuss the matter publicly. Now that the Board of Directors has taken final action, I would like to make a few comments to the Hastings Community regarding the incident. Continued on page 7

THE LABOR LAW CURRICULUM: GRODIN'S GUIDE TO THE PERPLEXED

This is a special to the Law News by Hastings Professor Joseph R. Grodin. He begins by outlining the Spring labor law curricula and concludes with his own perception of Hastings' labor law program, past, present and future.

—The Editors

federal law, with treatment of the relationship between union and individual workers as time permits.

Advanced Labor Law (Professor Grodin, 2 units, Tue., Th., 9:40-10:30) — This is a continuation of Labor Law I from the fall term. It is intended mainly for students who have had Labor Law I in the fall term this year or last, though students who took Labor Law from Professor Kanowitz last spring may enroll if they wish. Subjects to be covered are: The Individual and his Union (the law, both common and statutory relating to internal union affairs); Labor Law in the Public Sector (with special focus upon California statutes); the developing Farm Labor Law (with special focus upon California's Agricultural Labor Relations Act); and some issues, such as the

Continued on Back Page

HASTINGS BAKKE POLICY

The Special Committee on Admissions was appointed in late September. The Committee was asked to conduct hearings, secure input from all interested parties, and develop an admissions policy compatible with the Bakke decision.

The Committee's Report and Recommendations were presented to the Dean on November 15, 1976. I am attaching a copy of this document for publication in the Law News, and I invite comments from the Hastings community.

DEAN MARVIN J. ANDERSON

Numerous questions from students regarding the labor law program for the Spring term have inspired me to try and bring some sense of order to what must seem like chaos, even to those experienced in dealing with chaos.

In the Spring term this year are offered three courses and one seminar in the labor law area. The three courses are as follows:

Labor Law (Professor Kanowitz, 4 units, Tue., Th., 8:40-10:30) — This is a basic labor law course for those who have not otherwise been exposed to labor law. It will concentrate mainly on labor-management relations under

THEFT RING

Too many things are missing. Out of cars, out of classrooms. What Hastings is doing about it and what's gone down already. Next in the Law News.

HASTINGS LAW NEWS

Hastings College of the Law
University of California
198 McAllister St.
San Francisco, Ca. 94102

SO YOUR ROOMMATE'S A JERK?

[SEE ANNOUNCEMENTS PAGE 2]

Non-Profit Organization

U.S. POSTAGE

PAID

San Francisco, Ca.
Permit No. 10286

INTERIM EXAMINATION RULES

- (1) Each student will write or type the examination in the room to which he or she has been assigned, and in no other place.
- (2) Each student will sign in and out of the examination room as directed by the examination proctors.
- (3) Smoking is prohibited in all examination rooms, including typing rooms.
- (4) Except in the case of "open book", "open-code" or "open notes" examinations (for which the professor concerned will issue special instructions), no resort may be had during the course of an examination to any unauthorized source materials, wherever the same may be located. No unauthorized books, notes, papers, briefcases or like materials may be brought into an examination room.
- (5) No student may begin writing or typing an examination until the proctor has issued an instruction to begin. Every examinee will stop writing or typing immediately upon announcement by the proctor that the examination has ended.
- (6) All questions and requests for clarification during an examination shall be directed to the proctor. No student shall converse another for any purpose in an examination room after an examination has begun.
- (7) After an examination has begun, a student may leave the examination room for the purpose of going to a rest room or relaxing in a nearby corridor. Under no circumstances may a student leave the building during the course of an examination until his or her examination materials have been turned in to the proctor.
- (8) Violators of examination rules and regulations will be subject to disciplinary action which may result in suspension or dismissal from the College.
- (9) Requesting, giving or receiving unauthorized assistance in any form during the course of an examination may lead to suspension or dismissal from the College.

November 10, 1976



EDITORS Larry Falk, Sid Luscutoff

STAFF

Tom Garvin, W.W. "Bill" Webb, Donna Levin, Gail Mitchell, Chuck Dickenson, Zook Sutton, Lorin Brennan, and occasionally Grant Jasmin.

PHOTOGRAPHY

Bob Aicher
Jeff Gersick, Jeff Kimmel

The *Law News* is published bi-weekly during the school year at the University of California Hastings College of the Law, 198 McAllister Street, San Francisco, CA 94102. Advertising rates furnished on request.

The contents of this publication may not be reproduced in whole or in part without written permission. Opinions, articles and statements which appear herein are not necessarily those of the staff, advertisers or editors of the *Law News*. © 1976

ANNOUNCEMENTS

Exams rescheduled for A.M. will begin at 9 a.m. as usual. However, those for P.M. which normally begin at 1 p.m. will not begin until 1:30 p.m. Students should come a bit earlier however to sign in and sign out at the exam location.

Actual time reschedules and room locations will be posted at the Hyde and McAllister lobbies. Students **MUST** take the exam in the room/site scheduled. Be certain you know which section of a multi-sectioned course you are enrolled in. Check printouts in Room 111 where doubt exists.

A printout of current Fall-Spring enrollments indicates many students will fall short of 87 (required for degree).

Be certain your Spring enrollments yield 87.

Add-Dropping of courses will occur Tues. Jan. 4 through Thurs. Jan. 6 by reverse lottery number. Third year students first. Remember you must be enrolled for 24 units for the 76-77 academic year and no less than 12 each semester. (11 in Spring if 13 previous Fall) and complete 87 for the May degree. Pre-requisites for courses are in the current catalogue except Corporate Finance requiring Corporations and Accounting for Lawyers.

If you will be looking for a new place to live upon returning to school next semester, we would like to remind you that the College maintains a Housing Office at 305 Golden Gate Avenue, Room 267. This office provides the following services to all students:

- Listings of available apartments, flats, houses, and share rentals. These are displayed on the bulletin boards outside the Housing Office from 8 a.m. to 5 p.m. Monday through Friday.
- General advice and guidance in locating suitable housing, including transit maps and Caltrans carpool application forms.

Stop by the Housing Office for assistance, or phone 557-2189.

THE ASH BOOK EXCHANGE WILL BE HELD FROM JANUARY 3-7

NEW SCHEDULE

Turn in Books MONDAY, JAN. 3, 9:00 - 3:00
Buy Books MONDAY, JAN. 3, 4:00 - 5:00
TUESDAY, JAN. 4, 9:00 - 3:00
WEDNESDAY, JAN. 5, 9:00 - 3:00
THURSDAY, JAN. 6, 9:00 - 3:00

Receive Monies FRIDAY, JAN. 7, 9:00 - 3:00

New Theft Policy

ASH will refund one-half the cost of any stolen book

New Reimbursement Policy

Any student who cannot pick up their money on Friday, January 7th, must make arrangements prior to that date with Zook Sutton or Terre Rushton. All monies remaining with the Book Exchange after 3:00 p.m. on January 7th, will revert to the Book Exchange.

Please label all books with tape on the book spine. Labels should state your full name and price of the book. Please leave room for the Book Exchange receipt number you will be assigned when you bring in your books.

Hastings Bookstore

BANKAMERICARD
GILBERTS
MASTER CHARGE
HORN BOOKS

WELL, IT'S STILL SAFER THAN WALKING OUT OF NEW YORK

(CPS)—If you're planning to take Allegheny Airlines home for the holidays, good luck.

A recent study by the *London Sunday Times* shows the heavily-used East Coast carrier is less safe than any other U.S. airline. The *Times* compared the number of passengers flown with the number of fatal crashes for the world's major airlines over the past 25 years to come up with its data. Allegheny has

flown 67 million passengers and suffered 5 fatal crashes over this time, in which 152 customers lost their lives. Its safety record comes out one and a half times worse than the world average.

Overall, *The Times* reported, U.S. airlines have been consistently safer than the planet's other airlines. Delta has the safest record with nine times a better record than the world average. Romania's Tarom Airlines, with a record 20 times worse than the world average, is the most dangerous.



HASTINGS RUGBY RIPS USF—23-2



LAW NEWS BLOWS IT!

There were several production errors in the last issue of the Law News. Invariably there are some errors and omissions that are called to our attention after each issue hits the stands. We usually (and justifiably) chalk those up to time and logistic constraints, not to mention articles that aren't submitted according to form.

Let's face it, if you don't type your submissions double spaced on something better than a Milky Way wrapper and Sister Mary God-Save-Your-Soul gave you an 'F' in penmanship in eighth grade be damn happy we made an effort to read your scrawl and please don't complain if we thought you wrote vasomotor instead of vaseline . . . or was it the other way around.

But as for last issue, you may have noticed that the East Asian Law Society had an article on their Hong Kong tailor. Likewise, you may have noticed right there on page four next to the article a rather large space with some bold type indicating that a picture (the one to the of the article) was to be placed there. It was, But in the mad dash to get that edition together the picture somehow

got mixed in with the copy that went to the typesetter and couldn't be found till after the finished copy went to the other side of town to the offset shop for final printing the next day. Our apologies.

Furthermore, there was the front page article about labor leaders speaking here at Hastings with the article finishing with a brief (perhaps scanty) history of the labor law curricula at Hastings. We said that it was mainly taught by Professor Joseph Grodin. In fact there are other faculty members who teach labor law courses here and we apologize to them for this omission. Likewise, we apologize to every other deserving professor who somehow didn't see his or her name in the Law News in the last issue or any other issue for that matter. It's not that we don't love or appreciate you it's just that we don't have the staff to write about you (Reference our editorial of October 18th.) Same goes for student groups.

Most recent example of the Law News' failure to communicate an interesting — if not important — news event to you: The National Labor Relations Board's Senior Litigating

Attorney devoted a solid hour to telling forty students the "in's" and "out's" of getting a job with the NLRB via the selective civil service process. Lots of good info that probably could be generalized to any Federal agency. . . . Someone said, "sure, they'd write a re-cap of it for the Law News." But did they ever turn anything in??? If they/he/she had we'd have printed it.

In this case as in so many others we had to solicit the article that was never written. Volunteers? Not a chance. Too much stuff goes on around here for everyone to get to everything. Theoretically, if it's in the Law News afterwards at least those who didn't attend will have some idea of what they've missed, and still somehow benefit despite their absence. Moral: Volunteer an article, whether you're a student, staff or faculty person.

Makes you stop and wonder whether it'd be a good idea to have every organization receiving ASH monies turn in a newspaper article on each of their events in order to continue to receive funds.

BULLETIN FROM N.Y.U. LAW SCHOOL

A groundbreaking agreement signed last week provides for the sale of the C.F. Mueller Company, currently owned by the Law Center Foundation, for a figure of \$115 million. The proceeds of the sale to Foremost-McKesson, Inc., will result in huge unrestricted endowments of \$67.5 million for the exclusive use of the Law School and \$47.5 million for the University.

The agreement is important because it gives the Law School fiscal autonomy while providing the funds necessary to help keep the University solvent well into the 1980's. In the words of Dean Norman Redlich, "the Law School will no longer have to rely on the dividend policy of a commercial company," and will instead be guaranteed "an additional annual income of \$2.5 million dollars."

While an announcement on the Mueller stock has been expected for some time, the sale of the company comes as a surprise to many in the Law School community. Since no move could be made without the consent of the University Board of Trustees, the agreement resulting from long and hard negotiations appears to be beneficial to the Law School.

A statement of policy to be adopted by the University Board of Trustees provides that the "Law School shall be permitted with the resources available to it to carry on its educational program to enable it to maintain and enhance its position as a leading American law school without restrictions due to overall University restraints."

Redlich praised all parties for acting in a statesmanlike way, and added that he and all the members of the Law School community are interested in having a university that is fiscally sound because "you can't have a great law school in a university that is financially unstable."

Reprinted from N.Y.U. Law School Commentator

COMING SOON

You don't know it, but right here under your noses some innovative law school teaching methods are being implemented. It just may be that Hastings is on the forefront of legal education in America. Is it good? What about the 'traditional' methods? We'll talk to some professors who are taking new approaches to old problems as well as those who aren't. Coming in the Law News.

A JUGGLER'S MARRIAGE

Merry Christmas * * * Happy Chanakah * * * Happy New Year * * * Seasons Greetings

The OUTING CLUB and the LAW NEWS join hands to give you the best party Hastings has ever seen. In the middle of the week in the middle of the day in the middle of the Commons.

CASH PRIZES — FREE B*ER

JUGGLING CONTESTANTS SIGN UP NOW!!

THIRD YEAR BORED



All you schmucks that bought tickets to the great Hastings Dance but couldn't make it eat your heart out. "Perfect Circle" played music that would rival any group in town, and included cuts from their new album too! Somehow Tom Smith and crew managed to get them into the Tenderloin and boy did they play.

At this point it would be best to turn this over to our entertainment editor who would point out the Perfect Circle blend and other poignant cultural details, not the lest of which would be a run-down of the seven piece group's fantastic sound system technicians who tailored the group's funky soul and big ban

instrumentals to fit the commons perfectly.

Next our human behavior editor would jump in with a graphic account of the writhing, thumping, bumping bodies that packed the dance floor. The floor under the foosball machines got some action too.

Don't expect another affair like this

one till the **Juggler's Marriage** next semester. (Have the same good ingredients that the Third Year Bored did plus a juggling contest. Make it during the day and keep the price low (free) and you've got an Outing Club/Law News production.) Look for it on the first Thursday in January.

LEVIN'S INTRODUCTION TO LAW SCHOOL VOL. VIII

Even for those of us who are used to being bored by our own thoughts (cf. the author's earlier work, *How I Slept Through the First Seventeen Years of My Life*), the question, "Do I have what it takes to be a lawyer?" can become almost as monotonous as reading contracts while watching McHale's Navy re-runs. This does not mean that you need scrap this time-honored tool of self-torture; rather, you can get a running start on a migraine by refining the question so that you now ask yourself, "Do I want to be a lawyer?" If you wish to lose yourself further in this emotional jungle, try taking this psychological test. Remember, as with law school exams, there are no right answers in this test — only low scores.

1) My favorite way to spend an evening is—

- a. Drinking myself into a stupor
- b. Reading books that improve my mind
- c. Flashing in Golden Gate Park

2) If I were going to a desert island and could take only one book with me, I would take—

- a. Lady Chatterley's Lover
- b. Prosser on Torts
- c. A Superman comic

3) If I call a friend and get a busy signal—

- a. I take it as a personal rejection
- b. I hang up and try again later
- c. I smash the phone against the wall in a fit of paranoid frustration.

4) I am in a restaurant and am having trouble getting the waiter's attention—

- a. I take it as a personal rejection
- b. I patiently wait until I can catch his eye
- c. I tap dance on the table while singing "The Best Things in Life Are Free" until I at least get a glass of water

5) If my boyfriend, girlfriend or spouse (or pet aardvark for that matter, this is an open-minded column), asks me to run an errand

that I'm too busy for—

- a. I take it as a personal rejection
- b. I change the subject by accusing him or her of having an affair behind my back, of never having really loved me, and of eating the rocky road ice cream that I was saving for an emergency chocolate craving
- c. I break out in a heat rash

Now, compute your score, giving yourself 10 points for each "a" answer, 8 points for each "b" answer, and 3 points for each "c"

answer. Divide your score by the year of your birth. If the resulting number is .00015 or more, congratulations! Your personality is ideally suited to the practice of law. Those of you who did not receive a passing grade are extra lucky, though — you now have enough worrying to do to keep you off the streets during your entire vacation. Enjoy, and Happy Chanuka.

Yours Truly,
Donna Elaine

THE GALERIE

A distinctive shop, **THE GALERIE** specializes in good haircutting for women and men with an emphasis on free falling styles with simple upkeep.

We have no preconceived ideas of what your hair should look like. Whether you want to wear it super short to super long, we will work with you to give you a style you desire.

For more information, inquire:

THE GALERIE
2049 Polk Street
Telephone: 771-HAIR

Hours: 11:00 A.M. to 8:00 P.M.
Tues. thru Fri.; 10:00 A.M. to 3:00 P.M. Sat. or by appointment

(From Hastings take the Polk 19 bus at Larkin and McAllister to Polk and Broadway)

HARRY HARRINGTON'S PUB

- the Original -

I SERVED YOUR
GRANDFATHER - FATHER
HOW ABOUT YOU?

460 LARKIN
at corner of TURK



**LAKE
LAW BOOKS**

WE HAVE A COMPLETE LINE
OF HORNBOOKS, TAPES,
BRIEFS, AND OUTLINES!
PLEASE COME IN
AND BROWSE!

138 McAllister St. 863-2900
OPEN: 9-5:30 Weekdays
9-5:00 Saturdays

**BANKAMERICARD AND
MASTERCARD ACCEPTED**



PHI DELTA PHI THROWS PARTY FOR INVITEES



The guest list read like the tenderloin's society register. Phi Delta Phi Vice Magister Shelley Kramer feted a welcome party for new Phi Delta Phi members that they'll be talking about for at least a week. Magister Nelson Barry spent all night mixing and pouring (and yes drinking and drinking) Diamond Heights margaritas. He was not alone.

First, second and third year students make up Phi Delta Phi, the oldest international legal fraternity and the first legal fraternity to be established at Hastings (1883). Members espouse a low key interaction with members of the legal profession and count among their members Hastings Professors Sullivan, Lind, Green, Henson, Prugh and more. Student members are extended invitations on the basis of academic and personal records. An emphasis is placed on the latter. But on with the show, uh, er, party!!

What was in the brownies? The cook wouldn't tell but with so many other good munchies the partygoers' attention was distracted from one dish to the next and then to another drink and then maybe out to the terrace for a breathtaking view of Columbia, or was it Thailand??

No one was surprised when member Charles Naegle arrived with his stunning escort, but jaws dropped with the advent of certain unannounced guests. Tom Cairnes met with Harold Shilberg—the first time they'd seen each other since rooming in the same house at Cornell University.

And yes, the faculty members of Phi Delta Phi were represented by fraternity (that's a bad word 'cause actually there are more women in Phi Delta Phi here at Hastings in proportion to the men, than there are in the student body at large) stalwart Floridian Steve Lind. Ah, the good life.

D.A. SUES FINGERHUT

San Francisco District Attorney Joseph Freitas, Jr., announced that the Consumer Fraud/White Collar Crime Unit of his office has filed suit against one of the country's leading mail-order houses charging it with false, fraudulent and deceptive advertising claims to promote sales of a cassette tape recorder and other household products to consumers throughout California.

The suit contends that Fingerhut Corporation of Minnesota has not only engaged in false and misleading advertising, but that it has also violated both state and federal credit disclosure laws.

"Fingerhut's violations of the consumer protection laws are so numerous that a mere listing of them reads as a summary of the abuses which led to the enactment of those laws," declared Ray Bonner, chief of the Consumer Fraud Unit.

One of Fingerhut's brochures boldly and prominently proclaims a sale price of \$29.95 for a Cariole tape player "comparable in every way to \$79.95 tape players." A consumer cannot, however, purchase the tape player for \$29.95, but must agree to purchase 15 tapes and pay a total of \$176.52, a fact which is not revealed except by fine print buried in a footnote.

Also buried in the footnote is the fact that the consumer will be obligated to pay in installments and pay a finance charge of 20%, which is greater than that allowed by California law.

Fingerhut also claims that the cassette tapes it offers to consumers are "exclusive offerings, just for Fingerhut customers," and that they "regularly" retail for as much as \$11.98. In fact, the suit contends, the offerings are not "exclusive" because most of the tapes are readily available at retail store throughout California. And they are widely available at prices substantially lower than \$11.98—many for \$3.98-\$5.98.

The suit also alleges that Fingerhut has failed to comply with state and federal credit disclosure laws. The complaint contends that in violation of both federal and California laws, Fingerhut fails to disclose the methods by which finance charges are computed and fails to include the installment sales agreement between defendants and consumers in a single document. Instead, the terms and conditions of the agreement are scattered among various brochures, letters and postcards.

Additionally, Fingerhut does not inform consumers as required by California law, that they need not sign the agreement if it contains any blanks; that they are entitled to a completely filled-in copy of their agreement; and that they have the right to pay off in advance the full amount due and to obtain a partial refund of the finance charge.

"The credit disclosure laws are designed to provide consumers with all necessary credit information in a clear, conspicuous and meaningful manner in the area of complex and

often confusing credit sales. But Fingerhut's blatant violations of these laws make it virtually impossible for the consumer to make intelligent spending decisions," noted Bonner.

District Attorney Freitas said his office would seek full restitution for those consumers who have been victims of the company's practices, and civil penalties of \$2500 for every violation.

Fingerhut's mail-order sales of merchandise last year exceeded one-quarter of a billion dollars. The company claims to be one of the nation's leading mail-order houses.

The Consumer Fraud Unit has been investigating Fingerhut's activities for several months since receiving a complaint from a consumer who wanted to purchase three tape players for which she thought she would pay \$79.95. To her dismay, however, she was billed \$560.52, which included 45 cassette tapes she did not want.

The case will be prosecuted by Raymond T. Bonner and Luis G. Stelzner, Assistant District Attorneys. Stelzner observed that, based on the complaints received by the Consumer Fraud Unit, Fingerhut appeared to concentrate its promotional efforts on the low-income, non-English communities. "It appears," he declared, "that the victims are those who most need the credit information Fingerhut has denied them."

Roberto Lopez and David Axelrod who have been law student interns on

MYSTERY

A GHOST IS HOST IN JERSEY

(CPS)—William Paterson College in New Jersey has an unusual night student. There is a ghost living upstairs from the office of the director of admissions, Dennie Seale, or so Seale says. Haledon Hall is a 19th century castle that houses administrative offices on the college grounds.

The alleged ghost materialized when Seale reported a death like silence in the building around sundown and someone walking towards his office. There were never any response to his querying, "who's there?"

Seale hears walking on an upstairs staircase which is locked to everyone but, apparently, the ghost. All these events led to the summoning of a demonologist who was, incidentally, lecturing during the college's Occult Week Program. He indeed reported feeling something supernatural. The demonologist's wife, a "sensitive", perceived the image of a woman and a sick child.

Seale skeptically shrugged the whole thing off and said he didn't mind if the ghost was in the building "as long as she's properly registered." That's the spirit.

the Consumer Fraud staff under a grant from the van Loben Sels Foundation, have been instrumental in investigating and preparing the case.

READERS WRITE

A FEW WORDS FROM YOUR FRIENDS AT THE LIBRARY

We have just received from several students the following complaints, which we feel are just causes for anger, annoyance, and frustration, particularly in view of the large student body and the Cramped quarters.

- (1) Camping out, i.e. leaving one's belongings at a corral or a place at a table and not occupying said spot with one's person for several hours.
- (2) Talking loudly and lengthily in reading rooms.

The library staff has several of its own complaints.

- (1) Excising pages from reporters, codes. An illustration: Mr. Van Kessel assigned his Crim Pro class of 96 students "Ludwig v Massachusetts" to read by Thursday, 11 November. The library, in various sources, has six copies of Supreme Court decision. As it was mandatory reading, there was heavy demand for all the sources. On Thursday morning, 11 November, a potential borrower pointed out that someone has stolen the case from 44 Law Week. It seems rather ironic that this theft occurred in connection with a course dealing in criminal law (although theivery is hardly limited to students of criminal law, insurance law students, or even, believe it or not, tax law students have been known to deface or steal library materials).
- (2) General Piggishness, or We Do Not Provide Maid Service. The main function of the library staff is to provide reference and research material most pertinent to their studies. Before the material can be found, however, it must be in its place. There seems to be a distinct disregard for the "Re-

shelve Your Books" signs, which neither we nor the person who can't find 15 Cal Reporter because you left it by the copy machines appreciate. While we're on the subject of piggishness, would you please trouble yourselves to throw away coffee cups (sometimes half full), Coke cups (ditto), Cheez-It bags, Hersey bar wrappers, none of which is supposed to be brought into the library anyway.

- (3) Wandering Books. Perhaps some of the following just followed you home, without being checked out first. If so, could you induce them to return to the library with you, at least long enough to get properly checked out, so we can account for them?

Herbert, On Guilt and Innocence
white, Legal Imagination
Shemel, This Business of Music
Spanish/English Dictionary of Legal Terms

1972 University of Illinois Law Forum
Henkin, Foreign Affairs and the Constitution

Wade, Restitution
9 American Journal of Comparative Law

Schwartz, Lawyering
1973 Harvard Journal of Civil Liberties

Menninger, Crime of Punishment

ACLU, The Rights of Prisoners

7 Bankruptcy Court Decisions

28 Business Lawyer

51 NYU Law Forum

Waltz, Medical Jurisprudence

Schwartzberger, International Law

7 San Diego Law Review

8,9 Santa Clara L.R.

1970 Wisconsin L.R.

51 Harvard L.R.

17 November 1976

Martha Blum
Reference Librarian

The following letter was slipped under the Law News door [i.e. not via Intercampus mail] and we don't vouch for its authenticity since we don't know who wrote it. We don't show the signatories as a campus organization either. But for what it's worth, here it is. The Editors.

The recent budget allocations by the A.S.H. Council on November 10th serve to point out that despite all rhetoric and platitudes to the contrary, that august group of representatives has no more of a monopoly on altruism, philanthropy, benevolence or any other noble trait than the common man, and perhaps much less common sense. When it came down to splitting the monetary pie, the grand and noble sentiments all disappeared as petty prejudices and personal interests emerged in a mad scramble to take as much as possible and give as little as necessary.

Funding for the Native Americans was paternalistically generous. The Hastings Gay contingent should be absolutely gleeful and will undoubtedly laugh themselves straight to the bank. The Third year class managed to finance themselves a helluva party while the recruiting efforts of various organizations were summarily dismissed.

Let no one intimate that this was not all done on the up and up, for Robert's Rules of Order were observed throughout the process. Over-

all, the fine work of the conscientious A.S.H. sub-committee on budgeting was wasted and its recommendations disregarded and overruled. George Hannen, aren't you proud?

Third World
First Year Class

Dear Editors:

Are there enough codes? To anyone who studies code, after code, after code, I'm sure that they would say yes.

But, what are codes except a grouping of laws that are directed in a specific area. And, while they do often refer to one another, they belong to a specific division. Wouldn't it seem silly to have a traffic law in the health code?

Now then, what is this about a new code? For whom and or for what??? VICTIMS OF CRIME.

Laws are usually made for or against certain actions by specific individuals or groups. Up till now, victims of crime have not had people to lobby for them when laws were made. And, because of this, their rights have never been emphasized enough by law. There have been laws written for victims of crime, however these laws have been placed in codes that whitewash their effectiveness.

Now is the time to help correct some of the injustices of laws of lack of laws that affect victims of crime. Now is the time for a VICTIM'S CODE.

Bill Berry
Court Room Clerk
S.F. Municipal Court

Dear Sirs,

For some time I have been tempted to write to you with regard to the almost unbelievable progress in the teaching of Law at Hastings today, as compared with what we had many years ago. I graduated in 1912, having attended classes in the Whittell Building, where we occupied the twelfth floor. There was a maximum of 25 members in our class, including one young lady, who, as you can imagine, was quite the darling —

The letter from Rolla B. Watt, published in the Law News of November 1st, 1976, brought back fond memories of the faculty and members of my class and of other classes. My brother, Harry Gehalle, graduated with the class of 1918, with Justice Frank Bray, and other distinguished persons. Neither one of us continued to practice for many years. Harry is over 88 years of age and is not in the best of health. About 1920 I became involved in a wholesale shoe business, from which I retired in 1962, and have lead a life of leisure ever since.

Most of my classmates are gone, and I have had very little contact with

any of them recently, except possibly Edgar Sinton. A letter addressed to Anthony Caminette at Jackson Cal was neither answered nor returned. I believe that Lawrence Edwards is in Stockton, but I have no information about others.

Along with Rolla Watta, I marvel at what is now going on at Hastings as compared with what went on when we were students. We were ill prepared to go out to face the cruel, cold world of practice of the law, even though we may have been well grounded in its theory by a faculty of dedicated lecturers. We did take part in one moot court during the three years — but were offered no other practical experiences or training by the College. It is so different today, and Hastings students should and must consider themselves fortunate in what they can get from the College today.

The faculty, headed by a Dean of great merit, is not surpassed anywhere, and the activities offered to the students are unbelievable to one who was of the Class of 1912. Best wishes.

Sincerely,
Oscar Geballe

UNCLE WILLY'S (SAD) ROUGH DRAFT

The beautification project that was recently completed near the entrance to BART on Hyde Street prompts some interesting observations of our city and its people. The futuristic lamps that were installed look like they were stolen from the top of Police cars; they emit the eerie feeling that someone or something is watching you.

More importantly, the area has been adopted as home for panhandlers and vagrants and all sorts of law students. It is a sad but true fact that no matter where along the Market street or Civic Center area benches and lawns are built, there will always be enough of these individuals to occupy the area. Many people don't seem to realize that the beautification of a city, state, or country does not come from installing expensive bricks and fancy lights. It comes from taking care of its citizens. I don't know how much money was spent on this project, (I would rather not find out). I do know that if some of the money was spent on helping these individuals cope with life, possibly some would not feel that they have to sleep on benches and panhandle for money. I am not necessarily advocating that more money be spent on them, only that given the two alternatives — treatment for them or fancy bricks, I will opt for the former. Until that problem is dealt with, gold bricks and chandeliers will not make Market street any more beautiful. Enough moralizing. [Willy 11:32]

MY DEEPEST SYMPATHIES to the student in Prof. Sullivan's Con Law Class who persuasively argued his belief that committing a juvenile to a foster home is equivalent to incarceration. The argument was dropped when Prof. Sullivan responded that he was in fact a foster parent.

A SUPERIOR COURT OPINION has upheld a student's claim to receive unemployment insurance. The individual is a law student at UCLA, and said that she would refuse work that interferes with her studies, but maintained her right to unemployment benefits. The California Employment Development Department claimed that she should not be excepted from the "seek-work" rules that apply to other applicants. The decision is being appealed.

HAPPINESS is being a second year student and watching the first year students trying to find out on which pages of the U.S. Code Congressional and Administrative News the full text of the Housing and Community-Development Law of 1974 is located.

UNHAPPINESS IS having a first year student ask you where the U.S. Code Congressional and Administrative News is located and having to tell them that you can't remember.

TO THOSE OF YOU WHO WERE UNABLE TO COME UP WITH MORE THAN 5 PAGES OF ARGUMENTS FOR MOOT COURT, Chief Justice Warren Burger is on your side. It has been described as a "rare outburst from the bench," the Chief Justice complained of the verbosity of the briefs submitted to the high court. He said that the particular brief before him could have been reduced by two thirds. The court is now considering a rule limiting briefs to fifty pages.

THOUGHT FOR THE DAY. If they can put a man on the moon, THEN WHY CAN'T THEY GET THOSE DAMN BELLS TO RING ON TIME?

Uncle Willy

DEAN'S MEMORANDUM Continued from page 1

During the final examinations in May 1976, an instance of a student requesting assistance and receiving it from another student—contrary to the instructions regarding examinations—occurred. When the matter was first reported to me, there was some uncertainty as to the number of student involved and the depth of inquiry that would be necessary in order to ascertain the facts. An ad-hoc committee consisting of seven faculty members was appointed specifically to inquire into the matter, make findings of facts, and recommend subsequent actions to the faculty. This was done. The Committee held exhaustive hearings during the Summer. It was determined that the incident had occurred; the circumstances surrounding it and particular pressures that were involved upon the students concerned were brought out. In light of the absence of dispute as to the substantial facts, the Committee submitted its recommendations for disciplinary action. The recommendations, as well as the findings of facts brought up in the hearing, were carefully reviewed by the faculty, not once, but twice. Subsequent to that action, the two students being subjected to some penalties, petitioned the Board of Directors for an opportunity to be heard with respect to the possible ameliorating of the sanctions imposed upon them. The Board of Directors heard the students and their counsel and deliberated at some length and acted substantially affirming all of the action which had been previously taken, but ameliorating in part the sanction imposed upon one of the students.

With the conclusion of the current semester, the two students involved will have completed the suspension which was imposed for their actions. The two students will resume their studies in the Spring semester. I have every confidence that in the future, all students will adhere to that integrity the public expects of people in the practice of law.

The problem of unethical conduct in an examination is unfortunately one that always has to be addressed. The Law School has been remarkably free of such incidents, although as in any institution, there are rumors and probably some facts to support those rumors that incidents do occur. This in no way is to be taken as condoning

it. But clearly of all professions, certainly the legal community stands in the forefront of those whose honesty and integrity should be unimpeachable. In a law school, there is no room for deviation from these high standards, and insofar as ethical standards can in any way be taught to people who have already reached maturity, the College must discharge its responsibility in this respect.

In dealing with any particular incident, however, the College also has the responsibility to be understanding and compassionate concerning the individual's circumstances that brought about the event. This, too, is a responsibility that lawyers face daily in the practice of their profession.

There is, then, upon all of us, students, practitioners, teachers, a share of the responsibility in upholding the integrity of whatever examination system is used, and in affording a high degree of fairness in the way in which any revealed incident is dealt with.

There is no way that the Law School can tolerate unethical conduct in examinations. This means that all forms of unauthorized assistance in the course of an examination or the preparation of a paper intended to be one's own work product cannot be condoned. This is an individual responsibility and lies essentially in the hands of each student. The rules regarding the examination and preparation of individual papers should be well understood and that means that they should be published and clear and in precise terms beforehand. This is the responsibility of the administration. I cannot accept the contention that it is necessary to remind law students that unethical conduct is improper, but it is intended to clarify where there may exist gray areas of what may be used and what may not. Towards this end, the College is endeavoring to give the widest possible publicity to the rules that pertain to the taking of examinations. In order to avoid any confusion, the College will employ professional proctors for examinations. It is well understood that the use of proctors alone will not prevent a person who is determined to violate the rules from doing so. Total support can only come with the full cooperation of the entire student body.

It is the responsibility of the

College to provide a fair process; one not too burdensome upon the student or those undertaking to implement the rules, in order to deal with what should be very rare cases. The student body can facilitate by providing its proposals on the suggestions for dealing with violations of its ethical code. I have requested the College Counsel to draft some procedures that might be used in the event the College is called upon again to deal with the problem of unauthorized assistance on examinations or the preparation of student papers. In due course, I am hopeful that the student body would find an opportunity to make a contribution to the development of these procedures.

I have every confidence that with another examination period approaching, all members of the

student body will approach these examinations and future examinations fully committed to the idea that the individual integrity impels them to adhere to the highest ethical standards of all members of the legal profession.

S/Marvin Anderson



This time don't take any chances.

To pass the bar exam you need three things — substantive knowledge, exam technique and confidence. BRC is the only California course that gives you all three. Our substantive outlines are concise and still have all the law you need to know.

Our Problem Solving Lectures, past bar questions and suggested analyses, exam writing materials and lectures, and our techniques for answering multiple choice questions help your "examsmanship." Also, the two essays per week *plus* three simulated bar sessions that we administer are graded and fully critiqued under the supervision of a former California bar grader who has explained the exact standards applied on the bar exam.

Finally, the computer feedback that you get with our course insures that you are fully aware of your strengths and weaknesses *before* the exam, this knowledge breeds confidence since you know that you have been prepared by experts who show *you* how to do just one thing — pass the exam.

Courses commence about December 27

JOSEPHSON'S

BRC

The new concept in Bar Reviews

JOSEPHSON'S BAR REVIEW CENTER OF CALIFORNIA
San Francisco: 355 Golden Gate, San Francisco, California 94102
415/776-3396

Levi's for big guys.

They're called Levi's for Men. But they're for anyone with muscles. Or a bigger frame. Great styles, in great fabrics. But now more comfortable. Sizes 34 to 42.

the gap



MARKET ST. AT POWELL
COLUMBUS AT CHESTNUT

PHOEBE SNOW...SPECIAL CLASS

"It Looks Like Snow" [Columbia]

Like a sunrise, Phoebe Snow's music begins in the pre-dawn hours and before you know it, it's a spectacular morning.

Snow's latest album, "It Looks Like Snow" is indeed like a perfect day. You want to go out strutting. Her four-octave voice is full-bodied wine. Sometimes rough, sometimes seductive, Snow makes you drunk on sculptured lyrics of a special class.

The most intoxicating cut on the record begins like a prayer. "Mercy on Those" is a Silent Night of emotions unparalleled by anything I've ever heard. It's a down-the-spine, up-to-the-heart chemical reaction. In a gentle protest against the male powers-that-be, Snow laments, "Sleep is a mercy to men with no

feelings/In our tragic era, sleep is the relief/The battle was won but the war has been lost/ So now take a rest or else, bask in your grief . . ."

The rest of the piece is simply one line repeated against a chorus which seems to emanate from a cathedral. As you listen to it, turn off the lights, stand with your feet apart and move from the waist. If you don't dance to this song, you'd probably ignore an earthquake.

Snow's motion is absolutely forward. Throwing her voice like a boomerang, Snow launches into an energy-packed song called "Stand Up On The Rock" and suddenly it's a party. Joining Snow here is David Bromberg who has said of her, "The girl just sings! She's got such vocal chops. And she never sounds like anybody else."

Phoebe Snow truly sounds only like Phoebe Snow despite the heavy influence of Joni Mitchell and Neil Young. But the major influence on Snow was Billie Holiday. This surfaces in such warm, luring songs as "Teach Me Tonight" and "In My Girlish Days." Every now and then Snow's voice contains an imaginary bump meeting an irresistible grind and the result is something timeless.

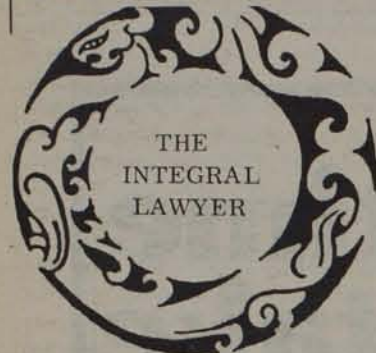
Phoebe Snow has slipped only the scene very quietly. At 25, she has sold over 800,000 copies of her first album and hit 42 cities on tour last year. Her personal history is speckled with self-consciousness and adolescent fears and a hard life in New York's Greenwich Village. Born Phoebe Laub, she took her name from the sides of the Erie Lackawanna freight cars she played near as a child.

In a recent interview, Snow said,

"I've seen the extremes. I've learned to fight for myself . . . Do what you have to do; love and live and let it all hang out. Take a chance, don't be afraid to expect more of life than first meets the eye. All I ever wanted to do was make music. . . ." And Snow is making music. In fact, one of the more bluesy, mystical songs on the album is called "Drink Up the Melody (Bite the Dust, Blues)" in which she sings, ". . . there ain't no music I can use." It's as if the muse of music is being conjured up in the recording studio.

Phoebe Snow is in love. It glows on the album. Phil Kearns, her producer, songwriter husband joins Phoebe for this effort, but her affection extends outward to everyone from the entire Saturday Night Live crew to disc jockeys everywhere to Judy Garland. Phoebe Snow is special and this album is done with special class. **Helaine Lasky**

BUDDHIST LAW



The practice of law is world wide and the East Asian Law Society therefore sees value in examining the rich jurisprudence of other cultures to better understand both theirs and our own. Here we share a study in precis form of the basis of Buddhist Law with which to compare law as we know it in the West.

From the Theravadin viewpoint, unethical behavior, criminal acts, and even negligence arise from individual internal misery. Personal pain exists and stems from thirst for existence or becoming, and thirst for non-existence. Primordial ignorance is the cause, desire and suffering the effects, and this all diminishes as unbridled desire is objectified through the "Eight Fold Noble Steps." Right Understanding and Right Thought leading to wisdom (Panna); Right Speech, Right Action, Right Livelihood leading to ethics (Sila); and Right Effort, Right Mindfulness, Right Concentration leading to union (Samadhi).

The basis of this legal system stands as eight positive directions, instead of ten prohibitions, with emphasis upon citizens attaining the highest standards of mental, emotional and social conduct of which

each person is capable. The Five Hindrances to success are sense-desire, ill-will, sloth/torpor, excitedness/sense of guilt, and indecision. In this legal tradition, the four motives of evil deeds to be avoided are partiality, enmity, ignorance, and fear, some of which are exculpatory in our jurisprudence.

A particularly valuable personal tool centers in the ancient governs in the choice of associates who either enhance or attenuate one's sense of Law. Though they pose as friends, four types of people to avoid are the grasping person who gives little, expects much, and acts of out fear; the smooth-spoken person who tries to win with empty promises; the person who only says what you want to hear; and the wastrel who implants no intrinsic value and is self-serving at best.

The four types of people who are

valuable as friends and professional assets are those who seek to help you, those who are the same in weal and woe, those who give good advice, and those who are sympathetic natured.

Recognizing the contrasts and parallels in values and legal perspectives heightens for us a sense of professional responsibility and appreciation of the profession of Law wherever it is practiced.

EAST ASIAN LAW SOCIETY



**BAR WISHES
YOU GOOD LUCK ON YOUR FINAL EXAM
AND
AN ENJOYABLE CHRISTMAS VACATION**

Some Important Dates

1. **Feb. 24, 1977**
Professional Responsibility Exam
Jan. 4, 1977 last day to sign up.
2. **April 23, 1977**
Professional Responsibility Exam
March 1, 1977 last day to sign up.
3. **July 26, 27, 28, 1977**
Summer 1977 Bar Exam
Applications must be in three months prior to the exam

**WHEN YOU'RE READY TO
SIGN UP FOR A BAR REVIEW
COURSE, GO WITH THE BEST.
SEE YOUR HASTINGS BAR REP.**

CLAUDE AMES
PAT KERNIGHAN
ROBERT FRIETAS
LORI INGRAM
TOM MADDOCK
ELLEN PFAFF
LYNEE RIDDLE

ROBERTO DELA ROSA
TERRE RUSHTON
GRACE SHIMIZU
CHARLES SINK
GREER SMITH
MICHAEL KING

bar

220 McAllister Street, San Francisco, California 94102
415 • 861-6820

THE CHEATING STORY Continued from page 1

Editors note: The following article is the product of our keeping tabs on the alleged Hastings cheating scandal since the story broke this summer. It has been by no means a last minute effort to get at the facts. Sources have been checked and double checked, confidences have been respected.

We have been intent on seeing that the full story was told. What evolved was a story of a law school's (successful) attempt to deal with a "first of a kind" situation in the fairest possible fashion.

From our own independent investigation we have concluded, on the facts as we know them, that the most impartial judicious procedures were implemented during the course of the events surrounding the allegations. We have uncovered no incidents that indicate or even hint that any impropriety or improprieties were taken by the administration, the faculty committee or the faculty at large.

inherent power of the faculty to regulate its University," according to Riegger.

Another comment on the hearings was voiced by Professor George Prugh, General Counsel to the College: "We developed procedure as we went along. We maintained Due Process and held our decision to a standard beyond a reasonable doubt."

FACULTY COMMITTEE FINDINGS

The committee issued its findings of fact and submitted a series of recommended sanctions. Charges against two of the students were dropped. Sanctions against the remaining two were recommended to be one year's suspension and one semester's suspension respectively.

The faculty committee's findings and recommendations were presented to the entire faculty during an at-large meeting. The faculty body approved the findings of fact and recommended sanctions with only minor changes.

At this point a Hastings student with considerable newswriting background volunteered to write a story on the whole matter for the Law News. He began to investigate and interviewed counsel for parties that were involved in the proceedings and made an effort to piece the whole story together.

The Law News withheld the story after numerous requests, including one from a student whose case was being considered, to delay the story until after an appeal to the Board of Directors of the College had been taken. One student involved promised to write a full and candid statement when the whole thing was over if we delayed publication.

It was at that point that the Law News received a copy of *The Black Panther* dated June 26, 1976. The official news service of the Black Panther Party, it has a reported circulation of 30,000. *Newsweek* magazine has cited its general circulation. That issue of *The Black Panther* had a feature news story on page eight saying that two weeks ago the *Black Panther* featured a story on how "four Black students at Hastings College of the Law in San Francisco were falsely charged with cheating." The *Black Panther* quoted students as saying that the charges "really resulted from the school's racism toward Third World students."

The story was postponed to enable the Law News to verify the accuracy of facts included in the student article as well as to allow further research into other issues that had been raised. By this time the halls of Hastings were alive with rumors of the May exam cheating incident.

BOARD OF DIRECTORS MEETING

The Board of Directors met in early November and heard an appeal by the sanctioned students. In their appearance before the Board, the students discussed ameliorating the imposed sanctions.

Describing the meeting, Vice Dean Riegger has commented that "they [the Board] looked at what had occurred between that date [the full faculty's decision] and the time of the Board meeting." Considering these facts the Board then adjusted the sanctions to a single semester suspension for each student. Both students are thus eligible for registration in good standing in January 1977.

After the Board of Directors meeting, the Law News, in accordance with its earlier understanding with one of the students involved, attempted to elicit an on the record statement. Repeated efforts were made. Members of the Law News staff who had been assured of an 'exclusive' story failed to receive any statement at all.

The student author of the initial article was by that time frustrated; his story wasn't in print. He mailed copies of the "pre-final-board-appeal" article, which contained several factual errors, to all of the Bay Area newspapers and several national magazines. Commenting to the Law News last week, he claimed

that he wanted to "protect the freedom of the press at Hastings" by releasing the article. He said he found it unbelievable "that an admitted exam cheater could intimidate the Law News."

STUDENT PUBLISHES FIRST ARTICLE

Apparently a copy of his article was received by San Francisco columnist Herb Caen. In Caen's column on November 19, 1976 the San Francisco Chronicle published what was apparently the third comment on this matter by a national news service (assuming the *Black Panther* published the first two).

Caen wrote: "A student charged with note-passing (cheating) during an important exam at Hastings Law College was about to be suspended till she got herself a lawyer—an Alioto alum, Jerrold Offstein—who won her a temporary reprieve; formal hearing next week." Caen's comment was not verified by either himself or his staff prior to publication. He relied solely on the unpublished raw copy of the initial Law News article.

The student author of the original article has since allegedly received three threatening phone calls and a midnight visitor who attempted to break down his front door. He declined to comment on whether he had reason to believe his authorship of the cheating article and these events were related.

Although the allegations of exam cheating ultimately involved only two students and one exam—out of 1,500+ students taking six or more exams each year—it has prompted a

great deal of discussion of the disciplinary process at Hastings. In the absence of a Student Honor Code which provides for student discipline, the college faces the challenge of "ad hoc" promulgation of regulations and procedures for enforcing basic policies. Hastings in this case was forced, according to Riegger, "to operate under the Common Law."

As to the current state of affairs, Riegger noted that: "We have rules and regulations; we need enforcement. As of yet, we have no defined policy as to what procedure we would follow if a breach occurred."

But firm and fast policies and procedures will be developed. Hastings General Counsel Professor George Prugh, who is preparing a draft chapter on Student Discipline for inclusion in the Board of Directors' "Standing Orders" stated that: "We welcome ideas, suggestions and input on the improvement of procedure. To some extent we are responsible for teaching professional integrity, though much of this development occurs prior to law school."

Riegger reiterated this: "The students, the Law News, ASH, the Faculty and the administration should all be concerned about fostering honesty and personal integrity. Their input, both as to rules and regulations and as to procedure, is necessary and appropriate."

George Hannen, ASH President, told the Law News that "the students have been insured input; they will be involved in the process."

Tom Garvin

Student banking problems are different. Their bankers should be, too.



That's why Bank of America has Student Representatives close by at offices near major college campuses in California. They're always students or recent graduates themselves. So they know all about student banking problems. And how to solve them.

They know all the ways our College Plan® can help you, too. So why not stop by and talk things over. Our Student Reps can make your banking easier.

Depend on us. More California college students do.

At Hastings College of Law, just ask to see

June Ahern

Golden Gate-Hyde Branch
101 Hyde Street • 622-5309

BANK OF AMERICA 
Bank of America N.T. & S.A. • Member FDIC

POLICY ON ADMISSIONS

MEMORANDUM

To: Marvin J. Anderson, Dean
From: Members of the Special Committee on Admissions
Re: Report and Recommendations

Herewith is the report and unanimous recommendations of the Special Committee on Admissions.

s/Flynn Bradley, Black Law Students Association
s/Richard C. Maxwell, Hastings Faculty
s/Richard B. Cunningham, Hastings Faculty
s/Robin Omata, Asian Law Students Association
s/Robert Freitas, Associated Students of Hastings
Randolf Rice, Native American Students Association
s/Anthony Lopez, La Raza Law Students Association
s/John W. Whelan, Hastings Faculty
s/Jane Peterson, Assistant Dean, ex officio member

REPORT OF THE SPECIAL COMMITTEE ON ADMISSIONS

INTRODUCTION

Very likely, twenty years ago the present problem of discrimination in admissions would not have emerged or would not have emerged in its present form. Two principal factors have caused the emergence of the present problem: the general adoption of LSAT as a principal admissions criterion, and the generally increased pressure from all segments of the population for admission to law schools. The result has been that law school admissions have become more selective than they once were and that there have been probably far greater denials of admission to desirable law schools than there have been admissions. Justifiable insistence by numbers of minority groups or participation in legal education, and other branches of higher education, has resulted, in the case of most institutions of higher education, in the establishment of some form of special admissions program. Such programs vary among themselves, of course, in their scope and organization. Assessment of their effectiveness is quite another matter, to which the Special Committee on Admissions does not address itself.

Whatever the scope and genesis of these programs may be, it is clear that in the case of publicly maintained institutions they pose special problems. *Bakke v. The Regents of the University of California*, — Ca. 3d —, 132 Cal. Rptr. 680 (1976). The problems include not only the avoidance of invidious discrimination and the appearance of invidious discrimination, whether directed at minority or majority group members, but also the attainment of legitimate public objectives.

THE COMMITTEE'S TASK

In its early deliberations, the Special Committee on Admissions recognized two needs created by the *Bakke* decision: 1) to formulate admissions policy and procedure to meet the immediate demands of the current year; 2) to redefine the LEO Program post *Certiorari*. Given the brief time in which the Committee had to work, and given the urgency of the need for admissions guidelines for 1977-78, the Committee limited the scope of its work to the first of these problems. The Committee recognizes the need for an on-going study of the issues

raised by the *Bakke* decision and recommends that a Standing Committee of faculty and students work towards the goal of defining a viable, thorough, and creative program that will both meet the post-*Cert.* restraints of *Bakke* and insure the presence and success of minority students at Hastings College of the Law. Among the things that should be considered by such a Committee are: Pre-LSAT Programs, Law School Preparation Programs, comprehensive Tutorial Program, Bar Preparation Programs, and an optional four-year program of academic instruction.

THE COMMITTEE'S WORK

The Committee sent a letter requesting input to 18 outside persons and organizations, all faculty, all students, and five student associations. Written recommendations were received from the following:

Asian Law Caucus, Inc.
Asian Law Students Association
Associated Students of Hastings
Black Law Students Association
Benjamin Boyer, Hastings Faculty
Joseph R. Grodin, Hastings Faculty
Mark Haesloop, First Year Student
J. Youngblood Henderson, U.C. Berkeley
A.P. Kangas, Student
La Raza Law Students Association
La Raza National Lawyers Association
Mexican American Legal Defense and Educational Fund
Judy Pais, Hastings Faculty
Judge Cruz Reynoso, court of Appeal
Sub-committee on Language Skills of the LEO Tutorial Board

The Committee conducted hearings on October 29, 1976 and November 5, 1976. The following persons gave oral presentations:

Fernando Garcia, La Raza Lawyers Association
Mark Haesloop, Student
Dennis Hoptowitz, California Indian Legal Services
A.P. Kangas, Student
Lester Marston, Native American Students Association
Judge Cruz Reynoso, Court of Appeals
Juan Rios, La Raza Law Students Association
Gene Toml, Asian Law Students Association
Dennis Vann, Black Law Students Association

The Committee deliberated and drafted the attached Recommendations.

RECOMMENDATIONS OF THE SPECIAL COMMITTEE ON ADMISSIONS

1. The Special Committee on Admissions believes it is fundamental that the number of spaces available to LEO applicants in the 1977 entering class be expanded to insure the continued success of the Program under the broadened criteria below.
2. The Committee recommends that Hastings College of the Law investigate the legality of establishing an admissions program leading to the goal of establishing population parity in the student body.
3. Substantial and serious argument has been made that the status of Native American applicants be very

different from that of other disadvantaged persons. The Committee recommends that this matter be referred to the College counsel.

4. The Committee recommends that, in the implementation of the attached LEO admissions policy, the college administration allocate sufficient resources, such as work-study positions for students, to facilitate faculty and student participation in the administration of the LEO admissions process.

5. The Committee recommends the implementation of the attached LEO ADMISSIONS: PURPOSE, CRITERIA, and PROCEDURE.

I. PURPOSE

Hastings College of Law is committed to the goal of ending the de facto racial and socio-economic segregation which presently exists in law schools and the legal profession in general. Realizing the desirability of integrating and diversifying the student body and legal profession, and recognizing the need for providing adequate legal services to disadvantaged communities, (1) the College has established a special admissions program.

This program, called the Legal Education Opportunity Program (LEOP), is designed to provide a means for admitting students who will fulfill these goals. Admission of students to LEOP is based on criteria indicating qualification to study law and capacity to further the goals of the Program.

II. CRITERIA FOR EVALUATION

1.0. Purpose

Any person may apply for admissions to the College under the LEO Program. In order to be admitted under the Program, however, an applicant must be determined to be disadvantaged under the cultural and socio-economic factors listed below. (See Paragraph 2.0.) A person applying to the Program who is determined not to be disadvantaged shall be removed from the LEO Program and considered under the regular admissions process.

The criteria below will be used in determining whether or not to recommend an applicant for admission. The criteria of disadvantage relate to the social and economic obstacles which the individual has had to overcome. The contribution factor includes the individual qualities and experience of significance in assessing potential for social contribution enhanced by legal education. The academic data measure, by a variety of factors, the extent to which an applicant is prepared for the study of law.

These criteria are of equal importance in selecting those persons most qualified for admission to law school through this Program. No one set of criteria, independent of the other two, can be used to produce a fair or complete assessment of an applicant. Therefore, all criteria must be taken as a whole in the review of an applicant's strengths and weaknesses in all areas described herein.

2.0. Disadvantage

The following criteria relate to an applicant's economic and social background and, taken together, help to establish whether that person's cumulative experience has been such as to prevent substantial participation in the majority culture.

- (a) **ECONOMIC:** Lack of or limited economic resources available for the applicant's childhood and undergraduate education; the need to work to provide support for education; family assets; circumstances, and size.
- (b) **GEOGRAPHIC:** Originating from an area which limits exposure to activities and materials traditionally recognized as promoting academic success. This may include rural areas, depressed or ghetto areas, high population density areas, or Indian reservations.
- (c) **EDUCATIONAL:** Handicaps in the educational process and/or unfavorable environmental influences in educational institutions. This would include having attended segregated or sub-standard schools, or having been placed in non-academic track, during a substantial portion of schooling.
- (d) **INSTITUTIONAL:** Inability to participate in many of the institutions associated with the majority culture because of socio-economic, racial, or ethnic status.
- (e) **SOCIAL/FAMILIAL:** The absence of expectation for educational and career achievement in the family or community milieu, and perseverance despite the lack of such expectation.
- (f) **LINGUISTIC:** Speaking standard English as a second language.

3.0. Academic Data

A variety of factors determine whether an applicant has the potential to successfully complete law studies. These include inherent ability, educational preparation, motivation and the presence or absence of many of the personal, social, and environmental factors discussed in Paragraph 2.0. An analysis of academic data can provide significant insight regarding the interaction of those factors. Academic data regarding each applicant originates from several sources and includes:

- (a) **UNDERGRADUATE RECORD:** Examination of the undergraduate record should include an assessment of the relative difficulty of the major and minor fields of study and the quality of the grades or credits earned therein; the pattern of improvement or increased acquisition of skills throughout the undergraduate career, especially in the most recent period prior to application to law school; the relative difficulty of the major and minor fields of study and the quality of the grades or credits earned therein; the pattern of improvement of skills throughout the undergraduate career, especially in the most recent period prior to application to law school; the relative quality of the undergraduate institution(s) and the relationship between its (their) reputation(s) and the course taken and grades received. The length of time taken to complete undergraduate studies should be weighed against the difficulty of the subjects and factors such as necessary employment during that period. Analysis of the grades must also note the year in which they were received, and account for possible "grade inflation." The cumulative grade point average may be evaluated against the cumulative GPA percentile rank established by LSDAS for all students at the same undergraduate institution.
- (b) **LSAT:**

POLICY ON ADMISSIONS from page 10

The Law School Admission Service reports several aspects of an applicant's performance on the Law School Admission Test. The test results, as with the other criteria listed herein, are to be used not as the predominant indicator, but should be evaluated in conjunction with all of the criteria of Section II.

The LSAT score reports an overall estimate of an applicant's abilities in legal studies; it may be better understood when compared to the LSAT college mean established by all those taking the test in the same under-graduate institution. The cumulative score is supplemented by a separate score which estimates writing ability. That score can best be evaluated by relative comparison with the entire group of LEOP applicants.

4.0. Contribution

The contribution criteria measure individual qualities and experience that are significant in assessing potential for social contribution. These criteria include:

- (a) **BILINGUALISM:** Linguistic ability in the language of a community needing legal services.
- (b) **COMMITMENT TO COMMUNITY SERVICES:** Prior community activities and desire or willingness to serve a disadvantaged community.
- (c) **PERSONAL GOALS:** Evidence in the applicant's background which indicates a sensitivity to the problems of disadvantaged people and an involvement in and commitment to improving the lives and conditions of people in a disadvantaged community.

III. PROCEDURE

1.0. Interview Panels

Student interview panels shall be established to interview LEOP applicants. 1.1. Such panels will interview all applicants for admission to the LEO Program who have a minimum LSAT/GPA factor of 900. Each interview panel shall consist of two or three students.

1.2. Failure to interview an applicant will not prohibit processing of the application or result in a denial of admission.

1.3. The purpose of the interview is to assess those factors which render an applicant socially, economically, and educationally disadvantaged; to assess whether an applicant can successfully complete law school in light of his or her disadvantage; and whether an applicant, once completing law school, will contribute to the betterment of society by helping ameliorate the social, economic, political, and legal problems facing disadvantaged communities.

1.4. Each recognized LEOP student association shall appoint interview panels who shall interview those applicants likely to be eligible to become members of the association. It is the purpose of this Paragraph that interviews be conducted by those students best able to assess the special characteristics and qualifications possessed by the disadvantaged applicants.

1.5. The Associated Students of Hastings (ASH) shall appoint interview panel(s) who shall interview any applicant not interviewed by the panels established under Paragraph 1.4. That panel should be comprised in so far as is possible, of disadvantaged students or others who can empathize, discuss, and assess the special characteristics and qualifications possessed by the disadvantaged students.

1.6 In making their assessments, the

interview panels will consider those factors of disadvantage described in Section II, Paragraph 2.0. The panels will also consider the following factors:

- (a) Personal motivation;
- (b) Prior community involvement;
- (c) Desire to work in communities that have inadequate legal services.
- (d) Likelihood of success in law school;
- (e) Commitment to work within the legal system to achieve needed social changes such as those which have called this Program into existence;
- (f) Potential for leadership.

1.7. Each interview panel will summarize its assessment of each applicant. That summarization will become a part of the applicant's file.

1.8. Each recognized LEOP student association and interview panel may make recommendations regarding the desirability of admitting particular applicants. That recommendation may be made to the Student Rating Committee. (See Paragraph 2.0., below.)

2.0. Student Rating Committee

A Student Rating Committee (SRC) shall be established to evaluate and rate all LEOP applicants according to the criteria established in Section II, and on the basis of the interview assessment contained in the applicant's file.

2.1. The SRC shall consist of one student from each recognized LEOP association and one representative of other disadvantaged students to be appointed by ASH. The representative appointed by ASH should, if possible, be a disadvantaged student, or a student who can empathize, discuss, and assess the special characteristics and qualifications possessed by disadvantaged students.

2.2. The SRC will evaluate all applicants and, on the basis of the evaluation, rate each applicant as "A" (Accepted), "H" (Hold), or "D" (Denied). Evaluation will be made of all applications which have been received and processed.

2.3. Each applicant's rating shall be explained on the rating form which remains in that applicant's file until a decision regarding admission has been made.

3.0. Faculty Rating Committee

A Faculty Rating Committee (FRC) shall be established to evaluate and rate all LEOP applicants according to the criteria established in Section II, and on the basis of the interview assessment contained in the applicant's file.

3.1. The Disadvantaged Students Committee, a standing committee of the faculty, shall appoint individual faculty members to the FRC. The members appointed shall have demonstrated a genuine interest in and concern for the LEO Program and a sensitivity to the goals and objectives of the Program. Each LEOP association may submit names to the Disadvantaged Students Committee to be considered for appointment as faculty evaluators.

3.2. Two members of the FRC shall evaluate each LEOP applicant and shall rate each applicant as "A" (Accepted), "H" (Hold), or "D" (Denied). The evaluation will be made on the basis of all applications received and processed as of the date of a periodic review.

3.3. The rating assigned to each applicant shall be explained on the rating form which remains in the

PLACEMENT PROGRAM

The New York University School of Law has instituted a new concept in student placement — an Off-Campus Interviewing Program.

The Law School now conducts one of the largest and most successful On-Campus Interviewing Programs of any law school in the country. Over three hundred recruiters visit the School each fall from all of the nation's major cities. But the Placement Office believed that the School should do more to inform students about opportunities for practicing law throughout the country, and it also believed that many law firms which have not visited the School in New York might welcome the opportunity to interview some N.Y.U. Law students in the firms' own cities.

Hence, the Off-Campus Interviewing Program.

With the assistance of the Law School's alumni, the Placement Office has planned the following visits: Washington, D.C., October 22nd; Chicago, October 29th; Los Angeles, November 5th; San Francisco, November 8th; Philadelphia, November 12th. All participating firms will be

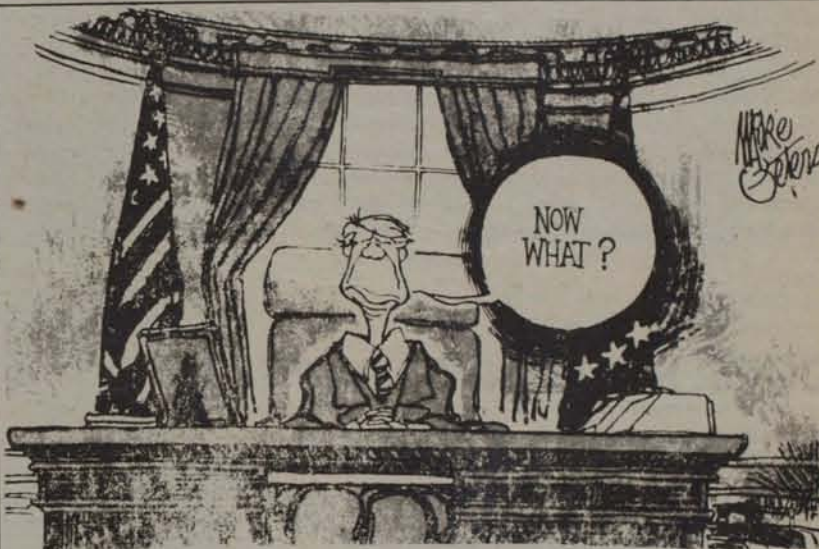
able to screen resumes in advance. The selected students will travel to the above-mentioned cities at their own expense. The Law School and the Alumni Association will make all necessary space and other logistic arrangements. Interviews will take place at a central location. All recruiters and students will be invited to a cocktail party at the end of the day as guests of the Law School.

Second and third year students interested in firms in the above-mentioned cities should watch for specific information about participating firms.

An Off-Campus Interviewing listing of firms, sign-up deadlines and selection procedures will be available within a few days.

A special Travel Loan fund has been set up. Students participating in the Off-Campus program should see Mr. Magness, the Placement Director, if a loan is needed to cover travel and room and board expenses. Evidence of employer interest is the first step in the loan procedure.

N.Y.U. LAW SCHOOL
COMMENTATOR



applicant's file until a decision regarding admission has been made.

4.0. LEOP Admissions Review Board

In cases of dispute between the SRC and the FRC, the LEOP Admissions Review Board will review the ratings established for each applicant by the Review Committees and recommend to the Administration the admission or denial of each LEOP applicant.

4.1. The LEOP Admissions Review Board shall consist of three students appointed by the Student Rating Committee, three faculty members appointed by the Disadvantaged Students Committee, and an appointee of the Dean.

4.2. All applicants rate "A-A" by the SRC and FRC shall be recommended for admission. All applicants rated "D-D" by the SRC and FRC shall be recommended for denial of admission. Applicants who receive any other combination of ratings shall be reviewed by the Board and assigned priority for admission, subject to periodic review.

4.3. The Board, with due regard for the ratings assigned by each Rating Committee, shall exercise its independent judgment and shall evaluate the applicant's ability to further the goals of the LEO Program.

Special Committee on Admissions
November 15, 1976

footnote

(1) See *Bakke v. The Regents of the University of California*, — Cal. 3d —, 132 Cal. Rptr. 693 (1976).

ALUMNUS

continued from front page

Legislature before Mayor Moscone presented the Justice a special award and certificate from the City of San Francisco.

Mayor Moscone's special humor, served with a desert of brandied ice-cream and dainty torts and biscuit confections, gave way to more serious contemplation as he later related Justice Bray's exceptional service in more touching terms than ceremony can permit.

Peter Tamaras presented additional commendation from the San Francisco Board of Supervisors who were also represented at dinner by Dorothy von Beroldingen. The endowment of the A. Frank Bray Professorship was announced by Max K. Jamison before Dean Marvin J. Anderson presented a tribute to Justice Bray for service to Hastings College of the Law.

The U.C. Centennial Medal was awarded to Justice Bray as the Outstanding Living Hastings Alumnus by U.C. Alumni Association President and University of California Regent Earl P. Willens. The Medal was minted for the California Alumni Association for its centennial celebration. Adele Davis as Centennial Lecturer, Clark Kerr and Robert Gordon Sproul as Presidents of the University, and Roger Traynor as Alumnus of the Year are prior recipients of the same medal.

Lindsey Scott Feldman

THE LABOR LAW CURRICULUM:

Continued from front page

relationship between labor law and antitrust law, left over from Labor Law I. Assigned casebooks will be Oberer & Hanslowe, **Labor Law** (used in Labor Law I), and Grodin & Wollett, **Collective Bargaining Public Employment**, Unit 4 of the series "Labor Relations and Social Problems" (BNA 1975). Additional materials will be made available. Grades will be based upon a series of individual projects geared somewhat to practical lawyering. There will be no final exam (and therefore no point grade).

Employment Discrimination Law (Professor Grodin, 2 units, Tue., Th., 1:40-2:30) — A basic course in employment discrimination law with no prerequisites. While primary emphasis will be upon Title 7 of the Civil Rights Act, the course will also consider other sources of law prohibiting discrimination or requiring affirmative action in employment, including the Constitution, Sections 1981 and 1983 based upon the Civil War Civil Rights Statutes, the federal Equal Pay and Age Discrimination Acts, federal executive orders pertaining to contracting, the California Fair Employment Relations Act, and the National Labor Relations Act insofar as it pertains to race and sex discrimination. There will be guest participants from time to time. The casebook will be Schleier and Grossman, **Employment Discrimina-**

tion Law (BNA 1976 Student Edition). There will be an open book final exam.

In addition to these three courses, there will be an **Advanced Labor Law Seminar** (Professor Grodin, 2 units, Wed. 3:40-5:30) — designed for students who have completed at least Labor Law I in the fall term (this year or last) or Labor Law in last year's spring term. Students in the seminar will be divided into two law firms and assigned a number of model cases which are designed to provide a basis for examining some of the developing problem areas in labor law in a somewhat practice-oriented context. Grades will be based upon quality of participation. There will be no examination. There is no assigned casebook.

LABOR LAW SURGE AT HASTINGS

During the years when I taught at Hastings as an adjunct faculty member (too many years ago to identify), there was only one course at Hastings in the labor law field: a 3-unit course called Labor Law. During Professor Updegraff's tenure here as labor law professor (from about 1961 to 1971) the Labor Law course was expanded to 4 units (taught in a single section) and a course in Arbitration was added. When I came to Hastings some 5 years ago, I advocated expansion of

the labor law curriculum on two grounds. First, the importance of the Bay Area as a center of labor relations activity, and the geographical proximity of Hastings to relevant agencies and the courts made Hastings a natural center for the



development of a substantial labor law program. Second, the field of labor law itself was expanding into new areas: the public sector, the representation of individual workers in relation to their unions, the adoption of employment discrimination legislation, etc. It was not sufficient, I felt, to train those few students who might end up working for labor or management firms as labor law specialists; the school had an obligation to provide labor law training to students

who might work in general practice, or for government agencies, and be confronted with labor law problems in one of the emerging fields.

Fortunately, the faculty and school administration accepted my arguments. The basic labor law course was expanded to two sections: one, taught by Professor Kanowitz, remained at 4 units and the other, taught by myself, was extended to 5 units over two semesters. In addition, the other courses and seminars mentioned above were added over time.

The result, I am pleased to say, is that Hastings now has one of the most substantial labor law curricula in the country. Indeed, I believe that the only schools with more class hours allocated to the labor field are those with specialized graduate programs in the labor law area.

The labor law field continues to expand. There are, for example, new statutes dealing with Occupational Safety and Health (OSHA) and with regulation of retirement and welfare plans (ERISA) which are of substantial significance to the labor field but which can be treated only in a superficial manner within current course offerings. The same is true of employment-related social legislation which has been on the books for many years: Social Security, Wage and Hour Laws, Unemployment Compensation Laws and the like. Perhaps some day resources can be found to make instruction available in these areas as well.

Meanwhile, Professor Kanowitz and I welcome any suggestions you have about the present curriculum; and if you are still confused about the spring term offerings, please don't hesitate to inquire. Out of chaos comes understanding (Who said that?) **Professor Joseph R. Grodin**

COPS, STUDENTS, DOPE

The College Press Service distributed the following story to its subscribers last October. Any flaws?? C'mon! Surely they don't profess to practice law. But if they did, would there be a basis for a malpractice suit on the advice given?

(CPS) — It's moving day for University of California anthropology student Melanie Ford. Back and forth between her Los Angeles home and her car she trudges, loading it up with everything that'll make her year at UC Riverside that much more enjoyable.

Suddenly, as Ford steps off her porch with a small planter, a passing L.A. cop screeches to a halt, leaps from his car, slaps a pair of handcuffs of her and reads her rights. The planter, it turns out, contains five slender marijuana plants. Melanie Ford is UNDER ARREST. What does she do?

It's a familiar scene these days, even as polls show 27 million Americans puffing the funny weed and even as some states loosen up their laws governing its use. But people are still faced with marijuana arrests — 416,000 last year alone — so one's actions when confronted with the police have tremendous legal implications that could eventually spell the difference between acquittal and conviction.

Lawyers stress the importance of paying great attention to search and arrest procedures because the great majority of criminal cases never go to trial. In Detroit, only five percent of people arrested actually go to court; in Houston, just two percent of 16,000 people arrested in 1970 ever got their day in court, according to a massive legal study made that year.

While search and arrest laws are as hopelessly confusing for lawyers, judges and police forces as they are

for normal people, there are still some basic do's and don'ts regarding the police that all drug users should keep in their dope-besotten minds.

The cardinal rule in dealing with the cops is, "When you're not possessing, start confessing." At least, be as cooperative as possible if you've got nothing to hide.

If you do have something of the narcotic persuasion to conceal, the name of the game is to "Be cool." If you are stopped by the police while driving, the driver and passengers should immediately leave the car and walk back towards the police car in an unthreatening manner. This deft maneuver prevents the police from having legal cause to search the car.

The police, however, have been known to break the law themselves, so they may insist on looking through the car even if the driver and passengers are not in it. If this happens, tell the officer as politely as possible you don't want to consent to a search. If the police persist, lawyers say it's advisable to follow their orders but remember, you have still preserved your rights. Should the case ever wind its torturous way through the legal system and end up in court, the police action can be used in your favor.

As to the nagging questions of what to do with the dope when the cops pull you over, the law indicates the best place is the bod. The Supreme Court has ruled that unless a person is actually being placed under arrest, cops may only search for weapons. Anything stashed on the body, even if it is an o.z. of killer Columbian, can't reasonably be construed as a weapon or used against you.

In the home or dorm, where one's rights are the same, the best response to that midnight knock on th

door by the men in blue is to demand a search warrant. Should they not produce, you may politely assert that they don't have the right to enter. If they insist, you should let them in to save yourself from a possible pummeling, but as in the case of the car, remember the police are breaking the law. Again, the body is the best place to stash the weed. Remember also that no college official has the right to allow the police to search your dorm room.

Speaking of dope and the law, student planning to do any narcotic business through the U.S. Mail should be aware of the postal service's new "dope profile" that helps inspectors sniff out fishy parcels that smack of dope. Accord-

ing to court records, sturdy packages weighing 16 to 20 pounds marked "airmail" are most likely to fit the profile and be yanked from a bin and inspected for drugs.

Moreover, the government has developed a dog equipped with an extra-sensitive snout who can sniff out even the most assiduously hidden drugs. Major Jeffrey Linn says the Army has evolved the super dog whose nose knows no limits after eight years of research and \$1.8 million.

EVERYBODY NEEDS ONE



Hastings is supposed to have one of the best blends of clinical and academic programs among ABA approved law schools. In most instances besides the tangible rewards (units, preppie units!) most existing clinical programs as well as those that are student initiated are downright interesting.

Investigate. Professor Tom Rothwell (left) has regular office hours in the Clinical Programs Office (Golden Gate Annex.) Expect candid advice and (in most cases) encouragement from him when you start thinking 'bout whether you should be in a clinical internship or externship. The deadline is fast approaching.